

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**DATE:** February 23, 2001

**SUBJECT:** Reports of Significant Developments and Activities  
Ending on February 23, 2001

**FROM:** William E. Muno, Director  
Superfund Division

**TO:** David A. Ullrich  
Acting Regional Administrator

Bharat Mathur  
Acting Deputy Regional Administrator

The activities listed below are organized by site-specific activities, other significant developments, training/conferences, and stakeholder feedback:

**SITE-SPECIFIC ACTIVITIES**

**Emergency Response Action (Old Caterpillar Plant Fire), River  
Cities Industrial Center, Davenport, Iowa**

On February 20, 2001, United States Environmental Protection Agency (U.S. EPA) Region 7 requested assistance from Region 5 in responding to an uncontrolled fire at the 990,000 square foot River Cities Industrial Center in Davenport, Iowa. Burning substances included tires, flammable liquids, roofing insulation, and various unknown substances. The Industrial Center houses multiple businesses, including a waste oil recycler, a lawn and tractor distributor, a graphics company, and warehouse. A recent Memorandum of Understanding between Regions 5 and 7 allows for cross Regional emergency and removal response mutual aid when needed to enhance the Agency's responses to Oil Pollution Act and Comprehensive Environmental Response, Compensation and Liability Act releases. Region 5 On-Scene Coordinator (OSC) Charles Gebien responded as the First Federal Official (FFO) on-scene and provided air monitoring support to the Davenport Fire Department Hazardous Materials Response Team until the predesignated Region 7 OSC, Scott Hayes, arrived with a Superfund Technical Assistance & Response Team (START) air monitoring team.

**Contacts:** Charlie Gebien (312-353-7645)  
Kevin Mould (703-603-8728)

**Emergency Response (Lube Oil Spill), Conrail Yard, River Rouge, Michigan**

On February 13, 2001, U.S. EPA On-Scene Coordinator (OSC) Partap Lall responded to the release of lube oil initially reported to be 11,500 gallons at the Conrail terminal in River Rouge, Michigan. A tank car owned by Texaco developed a leak due to a cracked heater coil pipe. By 3 p.m., the leak had been repaired and the tank car moved. An estimated 4,000 gallons of lube oil had actually escaped the tank car and was contained in the tracks and adjacent puddles. A contractor was on scene with vac trucks and other cleanup equipment to recover the product, cleanup the area, and restore the tracks and rocks before Conrail could use the tracks. None of the oil reached water.

Contact: Partap Lall (734-692-7685)

**Settlement, Indiana-American Water Company, Inc., Indianapolis, Indiana**

On February 15, 2001, U.S. EPA entered into a Consent Agreement and Final Order to resolve a Complaint issued against Indiana-American Water Company, Inc. U.S. EPA issued an Administrative Complaint against this facility assessing \$60,050 in penalties for failing to immediately notify the National Response Center (NRC) of a 40 pound chlorine release on February 12, 1998, and a 60 pound chlorine release on February 13, 1998. Chlorine is a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substance with a 10 pound reportable quantity (RQ). The February 12 release was 4 times the RQ and was never reported to the NRC. The February 13 release was 6 times the RQ and was reported to the NRC approximately 4 hours and 50 minutes after occurrence. Indiana-American Water Company, Inc. has agreed to pay a civil penalty of \$7,654 and conduct a Supplemental Environmental Project (SEP) totaling \$40,750, for a total settlement of \$48,404 to resolve this Complaint.

Contact: Ruth McNamara (312-353-3193)

**Settlement, Home Juice Company, Melrose Park, Illinois**

On February 15, 2001, U.S. EPA entered a Consent Agreement and Consent Order (CACO) agreement with Home Juice Company to settle the Clean Air Act (CAA) Section 112(r), Risk Management Program violations, and the Administrative Complaint (Complaint) filed against the Company.

On September 29, 2000, U.S. EPA filed a Complaint against Home Juice Company for failure to timely submit a Risk Management Plan for its refrigeration system, as required under the Risk Management Program Regulations codified in 40 CFR Part 68. The proposed penalty was \$21,000. The refrigeration system uses anhydrous ammonia as a refrigerant. As a result of our enforcement action, Home Juice Company reduced the amount of anhydrous ammonia in the system from 15,300 pounds to 6,000 pounds. Therefore, the Company is no longer subject to the Risk Management Program regulations. In the agreement, Home Juice Company agreed to pay \$12,000 in penalties. This is the first settlement for CAA Section 112(r) violations in the Region.

Contact: Silvia Palomo (312-353-2172)

#### **OTHER SIGNIFICANT DEVELOPMENTS**

##### **Remodeling, Superfund Division Warehouse, Willowbrook, Illinois**

The General Services Administration in early winter renewed the lease for the Superfund Division warehouse in Willowbrook, Illinois. The warehouse is used for storage of field and safety equipment used by Division staff. A component of the lease renewal was the remodeling of the interior space to provide for more equipment storage. Two small offices were consolidated into one, with a great deal of rearranging workbenches, shelving, office equipment, and field and safety equipment.

Staff from the Field Services Section and the Emergency Response Branch participated in the moving of items during December, January, and February 2001. Except for some minor rearranging of equipment and installation of telephone lines, the remodeling is completed.

Contact: Joseph Weiss (630-789-9432)

#### **TRAINING/CONFERENCES**

##### **Federal Facility Response Plan Seminar, Cincinnati, Ohio**

On February 13, 2001, the second Facility Response Plan (FRP) Seminar was held at the Marriot Kingsgate Conference Center in Cincinnati, Ohio. The topics of discussion included: FRP Preparation, FRP Review Process, FRP 5 Year Review Process, Integrated Contingency Plans vs Facility Response Plans, Plan

Deficiencies, and Inspections and Agency Expectations (Alex Tzallas); the Memorandum of Understanding between the U.S. EPA and Department of Transportation, and the new Vegetable Oil and Animal Fat regulations (Barbi Lee); the Cincinnati Environmental Response Operations Plan (Steve Renninger); Unannounced Drills (Sheila Calovich); Response Strategies (Steve Faryan); and, Legal and Enforcement Issues (Beth Henning).

The seminar was mostly attended by industry individuals (including terminal owners/operators), consultants, and agency personnel. Attendee response was extremely positive: they found the seminar and informational packets informative and helpful for improving their oil programs. In addition, numerous attendees stated that they had traveled from other Regional jurisdictions because no such outreach existed in their Region.

Contacts: Alexander Tzallas (312-886-0622)  
 Beth Henning (312-886-5892)  
 Steve Renninger (513-569-7539)

#### **Environmental Justice Training Collaborative Group Meeting, Denver, Colorado**

On February 15-16, 2001, Region 5 members of the national Environmental Justice Training Collaborative (EJTC) group (Ethel Crisp, Ann Coyle, Office of Regional Counsel, and Oliver Warnsley, Superfund Division) met with other representatives of U.S. EPA (Regional and Headquarters), several State agencies, and educators in Denver, Colorado, to refine the Environmental Justice (EJ) Fundamentals Workshop. Over the past year, the EJTC has developed a training curriculum on EJ. The purpose of this Final Design Session was to demonstrate refinements and to introduce new materials. The EJTC is planning a series of nationwide pilot workshops during the Summer of 2001 to obtain more feedback on the EJ Fundamentals Workshop. In addition to the workshop, the EJTC is developing an instructor's guide.

Another of the EJTC's objectives is to establish a National Environmental Justice Training Institute (EJTI). The EJTI will serve to build knowledge and share expertise on EJ; provide a forum in which U.S. EPA can enhance its capacity to provide training; and, facilitate the creation of a nationwide network knowledgeable about EJ issues and skilled in disseminating information. The first EJTI is scheduled for Fall 2001 and will likely be a train-the-trainers course. Ethel Crisp and Ann Coyle volunteered to be members of the EJTI and to be trained as national EJ core trainers. Numerous other Region 5 staff have

expressed interest in being Regional EJTC trainers. Oliver Warnsley has volunteered to chair the public participation workgroup. Ann Coyle is working with the other U.S. EPA and State representatives to refine the EJ legals and EJ framework training modules.

Contact: Oliver Warnsley (312-886-0442)

### **STAKEHOLDER FEEDBACK**

#### **Standard Guide for Using the Surface Ground Penetrating Radar Method for Subsurface Investigation (ASTM Award), Reno, Nevada**

Mark Vendl of the Field Services Section received a Standards Development Award from the American Society of Testing and Materials (ASTM) Committee D18 on Soil and Rock at its January 2001 meeting in Reno, Nevada. The award was given in recognition for his time and effort spent on preparing ASTM Standard Designation: D6432-99 "Standard Guide for Using the Surface Ground Penetrating Radar Method for Subsurface Investigation."

ASTM has developed a number of standards which can be used for quality assurance/quality control (QA/QC) purposes for both surface and borehole geophysical methods. Mark is the chairman of ASTM Subcommittee D18.01.08 which is in charge of developing these standards.

Contact: Mark Vendl (312-886-0405)

cc: Barry Breen (OECA)  
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